IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9431 OF 2004

Shikshan Prasarak Samiti Petitioner

versus

The Administrative Officer,
Municipal School Board, Ulhasnagar
and others Respondents

Mr.Lagu for A.A.Garge, adv. for petitioner.

R.D.Rane, Additional G.P. for R.2 and 3.

CORAM : A.P.SHAH AND
S.C.DHARMADHIKARI, JJ.

DATE : 22nd December 2004

PC :

1. Heard Mr.Lagu for petitioner and Mr.Rane - Additional Government Pleader for respondents 2 and 3.

2. The petitioner has filed this writ petition challenging orders dated 22nd July 1997 and 21st August 1997 issued by Local Fund Auditor and respondent no.1 respectively disallowing salary paid to two teachers in the petitioner school for the period 1988-89 to 1994-95 and further ordering recovery of Rs.4,40,778/- from the

petitioner. The recovery was effected on the ground that the teachers are not trained teachers.

3. The period in question is 1988-89 to 1994-95 and the orders to that effect are passed on 21st July 1997 and 21st August 1997. The petitioner has approached this Court in October 2004. Apart from pointing out that representations were made in 2003 and 2004, Mr.Lagu was unable to furnish any explanation for this enormous delay. The petition is hopelessly barred by delay and laches and is liable to be dismissed on this ground alone.

4. In the result, the writ petition is dismissed summarily.

(A.P.SHAH, J.)

(S.C.DHARMADHIKARI, J.)